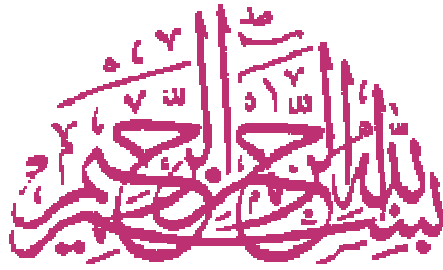


Democracy and its link to Shirk in the Legislation of Men

Courtesy of al-Mustaqeem Publications



Introduction

I bring to the forefront that in this bayaan, I will not resort to exposing the multifaceted and mountainous faults of democracy for our ill-informed Muslim brothers and sisters. I hope that below will clarify the matter of democracy for those who think it is part of Islam or who agree with it. This clarification is mainly for those who believe the following about Islam and democracy

It was said by such a person

*I have been to the US only twice and my stay lasted for a combined total of 3 weeks. **I believe in democracy and would be willing to struggle for it. I believe in freedom of speech and will struggle for it. I despise the Saudi Shariah and will fight against it any day. Am I westernized? Do I have the 'western' attitude***

Before I go into my research on the matter, it is important to view the meanings and various definitions that the kuffaric democratic world has given it.

1. the political orientation of those **who favor government** by the people or by their elected representatives
2. a political system in which the supreme power **lies in a body of citizens** who can elect people to represent them
3. majority rule: the doctrine that the numerical majority of an organized group can make decisions binding on the whole group

this is from wordnet.princeton.edu/perl/webwn

basically, if the majority decided to unwaajibize the hijab with nikaab after the hukm of Allah, then who is there to stop them as they are the supreme power, not Allah, power lies in the hands of its citizens. That's the essence of what makes a democracy. Anything that contradicts this will by default lose its democratizing feature.

Here are some others

1. Government by the people, exercised either directly or through elected representatives

<http://www.opb.org/education/coldwar...isis/glossary/>

2. A form of government in which **people hold the power**, either by voting for measures directly or by voting for representatives who vote for them.

<http://www.enchantedlearning.com/ele...glossary.shtml>

3. Democracy is a political system which has many different meanings and can take different forms. It is often incorrectly used as a synonym for capitalism.

Fundamentally, it means a government of, by and for the people.

www2.truman.edu/~marc/resources/terms.html

4. A form of government in which **political power is exercised by the citizens.**

campus.northpark.edu/history/WebChron/Glossary/Glossary.index.html

5. Derived from two ancient Greek words demos (the people) and kratos (strength). A system of government in which governance of the people is by elected representatives.

www.elections.act.gov.au/glossary.html

6. A form of government in which the citizens of a state vote directly on all governmental affairs or indirectly through democratically elected representatives

www3.newberry.org/k12maps/glossary/

7. Government in which the Supreme Court is vested in the people and exercised by them directly or indirectly through a system of representation usually involving periodically held free elections.

http://www.com.washington.edu/Progra..._glossary.html

8. **Government by the people**, through free and frequent elections. [top]

<http://www.co.arlington.va.us/Depart...rmsTrivia.aspx>

9. rule by the people. In the United States, democracy refers to a system of government which derives its power from the consent of the majority and governs according to the will of the majority.

www.historycentral.com/Civics/D.html

10. Greek: Demos (the people) Kratos (authority, rule). System of government in which ultimate political power rests with a nation's population at large, either directly or through elected representatives. Citizens have the right to participate in political decision-making. Democracy is not an Ideology, but rather an ideal that can be reached or embodied by various institutional arrangements according to one's ideological conception of Freedom, Participation, Rights, etc... ..

www.elissetche.org/dico/D.htm

11. The concept of democracy is based on the simple principle that when making an important public decision, the majority vote should prevail because the will of the majority outweighs the wants of the minority. The methods of implementing a governmental institution based on this simple principle can be complicated, but are made proper if a pluralistic party system is used. ...

ourworld.cs.com/_ht_a/duanekmccullough/glossary.htm

12. Democracy is a principle whereby people in a country freely elect representatives who make laws and govern with popular support. A democratic government also

implies that the people can change a government if they are dissatisfied with it.
www.tomgreengop.org/politicalterms.htm

13. A system by which social equality is favored. **Democracy means "rule of the people"**. Democracy includes open discussion, direct voting on significant issues, policy formation in all realms of social life; economics, education, religion and public life.
www.cupe.sk.ca/terminology.htm

14. From the Greek words for "people" (demos) and "power" (kratos), this concept has no single meaning. Theorists distinguish between "procedural" democracy (which is concerned with activities like political participation, elections, and ways of taking power) and substantive policy outcomes (which are concerned with the educational, health, and economic consequences that government produces).
<http://www.politicalscience.utoledo.edu/glos3260.htm>

15. A government where political power **is fully in the hands of the people**. Governmental systems in which the citizens exercise this power directly through general assemblies or referenda to decide the most important questions of law or policy.
<http://www.information-entertainment.com/polterms.html>

16. A political system or government by the people in which **the supreme power is vested in the people** and exercised directly by them or by their elected agents under a free electoral system. It is a political system "of the people, by the people, and for the people."
<http://www.sage.edu/academics/school...efinitions.htm>

17. **a country that is run by its citizens**, usually through elected representatives, where all adults are entitled to vote. Parliament is made up of representatives from the people. (E) Equality: being given the same opportunities. Equality does not always mean being treated identically; it is about addressing different needs.
www.equalcitizen.org.uk/glossary.htm

its does not get any clearer than the above, that it is unanimously agreed that TOTAL Authoritative power and the right to execute that power by any ways or means, is by the right of its citizenry, instead of Allah. Basically He takes the back seat

If people wish to delude themselves with the idea that democracy is merely "the electoral process alone" (and not including the very concept and essence of what democracy is) then even on that basis alone, under this democratic process, it recognizes ALL people as equal. That would mean those who would like to entertain the idea of its legality in Islam must by default accept the concept that Abu Jahl, in a democracy, is equal to Abul-Qaasim salallahu alaihi wa sallam. What greater kufr is this.

but secondly, people who say democracy is merely the electoral process are seriously misguided. This electoral process is the "farr (branch) or stem of a more deeper core matter, its aqeedah, its firm belief by which people are granted THE GOD GIVEN RIGHT to legislate, as they say 'power lies in the hands of the people". The electoral process is merely a method performed by such people; it is not the defining nature of what a democracy is.

When a multiplicity of historical events took place by councils on voting, they were not called or described as "democracy". Rather such an appellation was labeled upon them, by Greeks. No one calls the Islamic khilaaf al-Islamiyyah from the prophet and on through Khilaafa as-Sideeqi, or the khilaafa al-Farooqi as a "democracy". Its not characterized as such by any historian nor any representative by democracy.

A Common Doubt

One of the doubts raised by the admirers to democracy is the following

This is not necessarily true. Contemporary democracies can and do exclude certain elements from voting. For example, in almost every state in the U.S., convicted felons are not allowed to vote for the duration of their sentence

The framework of our Muslims argument from which the issue stems from is "the legally declared voting class"

Thus it is of no concern if we delete the criminals from the democratic process. We simply have the entirety of the other majority of faasiqeen, who just haven't been caught, as well as a mass majority of ignorant people who don't know squat about squat, in political affairs. That is why, in Islam, it is the elite in knowledge, ahlul-ilm that are given the right to decide amongst themselves in a shurah, lajna, etc, as to what it sees best for the country, not in the hands of the ignorant, of which democracy furnishes such rights to. Therefore, even if you erroneously called the shurah of the sahabah "democracy" (in spite of no westerner, no historian, to have described their nature as a democracy for drastically clear premises) it would not be viewed a democracy according to those who understands democracy best, the democratic world, who formed it into a living entity.

Secondly, all of this, the argument, is built on the misnomer that democracy is merely, the electoral process. But, it is not.

Democracy is built, in essence to furnish man to form laws according to the people. The electoral process is simply a method to perform that. That means, even if I don't make the law myself, I'm still granting permission for someone else to make laws on my behalf and the prophet said "there is no obedience to the creation in disobedience to the creator"

The point of a democracy is so that people can "form their own laws" "as they see fit within the times" contrary to laws already being established for us throughout time by the One who knows best our condition.

The issue is, who is the one given the right to legislate, Allah, Or Men?

democracy says "its the inalienable right of men" whereas Allah says It is solely His right. the matter of hukm is from the haq of Allah, not of men. So who are the Muslims going to believe, what democracy says, or what Allah says.

The Risalah

Democracy is the principle of the mastership of the people; and that mastership is an absolute and a supreme authority. This authority consists in the people's right to choose their leaders and legislate whatever laws they want.

The people usually practice this authority through delegation, by electing MPs who will represent them in the parliament and practices authority on their behalf. This mastership is the supreme authority above which there is no authority. Joseph Frankel - a western politician said: 'the mastership means the supreme authority which does not acknowledge any authority to be above it.

which if interpreted Islamically, simply means Allah is ruled out the equation in terms of the primary theme, Legislation.

The pillars of democracy were established by the French Revolution in 1789. However, the parliamentary systems was founded in England one century before that. Ideologically, the principle of the mastership of the nation - which is the basis of democratic school of thought - had developed before the French Revolution for decades. This appeared in the writings of John Locke, Montesquieu and Jean Jacques Rousseau, who founded the theory of the social contract, which is the basis of the theory of the mastership of the nation. This was as a reaction and a war against the theory of divine delegation which had been widespread in Europe for about ten centuries. Such theory decided that the kings ruled by a choice and delegation from God. As a consequence, the Kings used to possess an absolute authority, supported in this by the priests (Roman Catholic Church).

Indeed the European peoples suffered severely from this absolute rule. Accordingly, the mastership of the nations was the best substitute for them, so as to find their way out of the supreme reign of the kings and the priests who ruled by the delegation of God - as they claimed. Therefore, **democracy was originally founded to rebel against the authority of God, and grant the entire authority to Man to make his own way of life and laws without any restrictions.** Thus the birth of hedonism in the name of freedom, and "war on terror" to defend this hedonistic lifestyle

The French Revolution ended up with some highly important outcomes. Indeed there was born, for the first time in the history of Christian Europe, a non-religious republican state. Its philosophy was based on ruling in the name of the people instead of Allah, on the freedom of belief instead of Catholicism, on individualism instead of being restricted by the religious conduct, and on man-made rule instead of the decisions of the church'.

The theory of the mastership of the nation and its right to lay down its laws appeared, indeed, in the principles of the French Revolution and its ruling system. Thus the sixth act of the declaration of the rights in 1789 stated: 'the law is the expression of the will of the nation'. This means that the law is not an expression of the will of the Church or the will of God. In a declaration of the rights of man, which

was issued along with the French ruling system in 1793, the 25th Act stated: 'the mastership is centered in the people'. This is why Abdul Hamid Mitwalli said: 'the principles of the Revolution of 1789 are considered to be the basis of the western, democratic principles.'

With democracy, the supreme authority does not recognize any other authority to be higher than it, because its authority emanates from itself. Therefore, it does that which it wills and legislates that which it wills, without being accounted by anyone. But this is the ATTRIBUTE of Allah subhanahu wa ta'ala

It is beyond clear as the daylight sun that democracy is, what it is, law being derived by the will of men. That is attested by virtually the entirety of the world, democratic or otherwise. No one disputes this except a that they are not from this planet

So what is its relation to Polytheism

We conclude from the above that democracy ascribes the attributes of Uluhia (Godhead, Lordship) to man, by granting him the absolute right to legislate. Owing to this, it has made him an Ilah (God) beside Allah and a partner to him concerning the right of legislating for the creation. This is no doubt a Kufr Akbar (i.e. Kufr that takes a person outside the fold of Islam). To put it more precisely, the new God in democracy is the desire of man, who legislates what he fancies and desires, without being restricted by anything, not even God.

Among the first proofs I bring with regard to how the OPINION of men can resort to the worship of others besides Him is

Allah says in Suratul-Furqaan

Have you (O Mohammed) seen who has taken as his Ilah (God) his own desire ? Would you then be a wakil (protecting guide) over him ? Or do you think that most of them hear and understand ? They are only like cattle - nay; they are even farther astray from the path (i.e. even worse than cattle). [25:43-44]

This makes democracy a self established religion in which the mastership is for the people. In contrast, in the religion of Islam the mastership belongs to Allah as the messenger of Allah said "the master is Allah" [Narrated by Abu Dawud in his sunan, the book of Al-Adab (manners) and classified as Sahih

further binding and clear proof from Allah is the fact that He says in this regard

مِّن دُونِ اللَّهِ وَالْمَسِيحَ ابْنَ مَرْيَمَ وَمَا أُمِرُوا إِلَّا اِتَّخَذُوا أَحْبَارَهُمْ وَرُهْبَانَهُمْ أَرْبَابًا
يُشْرِكُونَ لِيَعْبُدُوا إِلَهًا وَاحِدًا لَا إِلَهَ إِلَّا هُوَ سُبْحَانَهُ عَمَّا

They (Jews and Christians) took their rabbis and their monks to be their lords besides Allah (by obeying them in things which they made lawful or unlawful according to their own desires without being ordered by Allah), and (they also took as their Lord) Messiah, son of Maryam (Mary), while they (Jews and Christians) were commanded (in the Taurat (Torah) and the Injeel (Gospel)) to worship none but One Ilah (God - Allah) La ilaha illa Huwa (none has the right to be worshipped but He).

Praise and glory be to Him, (far above is He) from having the partners they associate (with Him)."

(سورة التوبة , At-Taubah, Chapter #9, Verse #31)

So we gather from the evidence provided that shirk is done on both parts, both the ruler and the RULED. The ruler for acting as Allah and the rule seeking Judgement, and we know that the Quraan describes that all judgement is for Allah like in the ayaah

{The decision (al hukm) is only for Allah...} [6:57]

however, it becomes pertinent to not only accept this rather clear ayaah from Allah, but to expound it even ever more so clearly with the following

Adi ibn Hatim radhiyallahu anhu has narrated

"I heard the prophet (salallahu alaihi wa sallam) reciting(this verse) and he cites it. So I said 'O mMessenger of Allah! We did not worship them'

He (the prophet) said 'Did they not prohibit what Allah made lawful, so you viewed it as prohibited , and (similarly), they make lawful what Allah prohibited, so you view it as lawful?. I said 'Yes', he said, 'This is your worship of them'" [recorded by Ahmad and Tirmidhi who graded it hasan, also recorded by Ibn Jarir, Suyuti in ad-Dur al-Manthur, Ibn S'ad at-Tabaraani, and others. Ibn Kathir attributes it as well to Ahmad and al-Albanee graded it hasan in Sahih Sunan at-Tirmidhee]

ash-Shaykh Saalih al-Fawzaan further states

"The prophet has explained that the concept of taking rabbis and monks [and in this case whoever else] as lords besides Allah is not confined to the literal meaning of bowing and prostrating before them. The Prophet has demonstrated that the jews and christians have followed the steps of their rabbis and monks in altering the divine legislation by permitting the unlawful and prohibiting the lawful"

Imaam Ibn Abdul-Wahhab states

"Whoever obeys the scholars and leaders in prohibiting what Allah allowed or allowing what Allah prohibits, then he has taken them as lords besides Allah"

[what is the proof]

Ibn Abbass said

"Stone are about to rain down upon you from the heavens! I tell you 'Allah's Messenger said' and you people say 'Abu Bakr said and Umar said'" [Musnad1:337 graded sahih by Ahmad Shakir and others]

Imaam Ahmad said "I am amazed at the people who are aware of the correctness of an isnaad, yet they would go to Sufyan's opinion. Allah subhanahu wa ta'ala says, 'Warn those who oppose his command that they will be stricken with a fitnah or they will suffer a lasting punishment'[24:63] Don't you know what this fitnah is? The fitnah is shirk. perhaps when one rejects some of his sayings salallahu alaihi wa sallam, there occurs in his heart something of a desire ot be destroyed" [Taysir al-

Aziz, Fath al-Majid]

Fawzan further states

Included in this category [which we spoke above] is the act of obeying rulers in applying secular, man-made laws, which categorically oppose Divine Legislations by for instance, approving usurious interests, allowing adultery and fornication and drinking, treating men and women equally in terms of inheritance, and allowing women to remove their veil and men mingling with women. Such laws also prohibit the lawful such as polygamy. Therefore whoever agrees with such rulers and approves of their mundane laws is deemed a polytheist and disbeliever"

Imaam Maalik said

"The views of all of us are subject to consideration or reconsideration EXCEPT the views of the dweller of this grave" i.e. the prophet

Abu Hanifah said

"When a hadeeth is received, we UNQUESTIONABLY accept it. We do the same with a saying of any companion. As for a view of one of the tabi'oon, we have independent views just like them"

Abdur-Rahman bin Hasan says

"it is incumbent on every accountable individual, when hearing or reading a proof substantiated by the Qur'an or the Sunnah of the prophet, to act accordingly regardless of whoever may contradict such a view"

with regard to the ayaah of Allah "And when it is said to them 'Do not cause corruption on the earth' they say 'We are but reformers"

Haafidh Shamsu-Deen Ibnul-Qayyim says

"The MAJORITY of exegetes maintain that the verse announces the prohibition of spreading mischief in the earth by spreading sins [the result of democracy] and calling others to false deities after the advent of the messengers and clarification of the shariah [as well aided by democracy]. Therefore, worshipping false deities besides Allah, propagating false religions and polytheism are the gravest mischiefs. There is no possible reform of people's affairs without devotionally worshipping and OBEYING One God, inviting people to the true religion and following in the footsteps of Allah's Messenger. Others may only be obeyed IF THEY ENJOIN RESOLUTE OBEDIENCE TO THE PROPHET. Contrarily if they call people to disobey the commandments of the prophet or contradict his shari'ah, there will be neither obedience nor listening to them.

If we ponder on the circumstances of the world, we will surely notice that every path of righteousness and good refers to belief in Alla, obeying him and his messenger.

On the other hand, while the real cause behind all mischief in the earth, including the spread of turbulence, catastrophes, famines, and falling prey to our (the muslim) enemies is mainly referred to violations of Allah's commands"

Again, with regard to yet another ayaah in which Allah expounds on the shirk of legislation of others besides Him it says in surah al-Ma'ida

يُوقِنُونَ يَعْنُونَ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِّقَوْمٍ أَفْحُكْمَ الْجَاهِلِيَّةِ

Do they then seek the judgement of (the Days of) ignorance? And who is better in judgement than Allah for a people who have firm Faith.

(سورة المائدة , Al-Maeda, Chapter #5, Verse #50)

Ibn Katheer says

According to the aforementioned verse, Allah, Exalted and Glorified be He, decidedly denounces those who replace His law which enjoins every possible good and precludes all forms of mischief with personal views, whims, and doctrines which were established without a legal precedent from divine legislation. Such was the case of the arabs during jahiliyyah, who used to judge according to delusions and false opinions. Such is also the case of the Tatar who would judge according to laws enunciated by Genghis Khan who composed "al-Yasiq", a book of legal issues adopted from various Jewish, Christian, and Muslim writings. Some of its rules were formulated in accordance with his personal views and whims. **Afterwards, they would give precedence to such regulations over the Ever Glorious Qur'an and the Sunna of the prophet. Thus, whoever applies such legislation is deem a kaafir and should be fought until he returns to Allah's Livine Law"**

Thats Ibn Katheers hukm and tafseer of this ayaah.

After Fawzaan quotes this from Ibn Katheer, he, the modern scholar, Fawzaan, says

"Such is also the case of our secular laws which have become in many Muslim countries the main sources of judiciaries with the exception of what is commonly known as personal status law. There are, however, many a number of quranic ayaah which prove the disbelief of those who resort to such secular laws. Allah Almighty states

And whoever does not judge by what Allah has revealed, then it is those who are the disbelievers [5:44]

AND

But no, by your Lord, they will not believe until they make you (o Muhammad), judge concerning that over which they dispute among themselves [4:65]

AND

"it is not for a believing man or a believing woman, when Allah and His Messenger have decided a matter, that they should have any choice about their affair [33:36]

Ibn Rajab says

"Man does not have perfect faith until he inclines wholeheartedly to whatever Allah's Messenger has been sent with. In other words, the true believer is the one who loves whatever is commanded by the Messenger, and detests whatever is forbidden by him. The Qur'an has conveyed this meaning in numerous versus. Allah, Exalted and

Glorified be He, has dispraised whoever dislikes what causes His Pleasure and likes what cause His Anger. In this regard Allah Almighty said 'That is because they followed what angered Allah and disliked [what earns] His pleasure, so He rendered worthless their deeds' [47:28]

moreover he continues

"In many versus of the Qur'an, Allah has described the polytheists as following their desires. He, Almighty, says 'But if they do not respond to you, then know that they only follow their desires. And who is more astray than one who follows his desire without guidance from Allah?' [28:50]

Moreover, bida exists when personal inclinations and whims are given priority over the Divine legislation"

Ruling by other than Allah is Kufr

Ruling by other than Allah, which is general, which means any form of system in opposition to the laws of Allah falls under the hukm Allah already gave throughout the numerous ayaah in the quraan and the following Mountains of Islam

Shaikh ul-Islaam Ibn Taymiyyah said:

And it is known by necessity in the Deen of the Muslims and by the agreement of all the Muslims that whoever follows a Sharee'ah other than the Sharee'ah of Muhammad then he is a Kaafir and it is like the Kufr of the one who believes in some of the Book and disbelieves in some of the Book." – "Al-Fataawa", Vol. 28/ 524

Al-Haafidh Ibn Katheer said:

"So whoever leaves the clear Sharee'ah, which was revealed to Muhammad Ibn Abdullah, the Seal of the Prophets, and takes the Hukm to other than it from the laws of Kufr which are abrogated, he has disbelieved. So what about the one who takes the Hukm to the 'Yasaaq' (the law of the Tartars which mixed Sahree'ah rulings with invented rulings) and puts it before it?! Whoever does that, he has disbelieved by the Ijmaa' of the Muslims."

– "Al-Bidaayah wa Nihaayah", Vol. 13/ 119

Shaikh 'Abdul-'Azeez Ibn 'Abdullaah Ibn Baaz said:

"There is no Eemaan for the one who believes the laws of the people and their opinions are superior to the Hukm of Allaah and His Messenger or that they are equal to it or that they resemble it or who leaves it or replaces it with fabricated laws and institutions invented by people, even if he believes that the laws of Allaah are more encompassing and more just." – "Risalaat Wujooab Tah'keem Sharee'at Allaah' Pg. 39, which follows the "Risalaat Tah'keem Al-Qawaneen" Published by "Daar Al-Muslim"

Shaikh Muhammad Ibn Saalih al-'Uthaymeen said:

"The first type is when the Hukm of Allaah is removed and replaced with another Taghuutee Hukm, so that the Hukm of the Sharee'ah is eliminated between the people and he puts in its place another Hukm from the fabrication of the humans and they remove the laws of the Sharee'ah concerning the Mu'amilah (i. e. the general actions between people) and they put in its place fabricated laws and this, without doubt, is Istib'daal (i. e. replacement) of the Sharee'ah of Allaah subhaanahuu wa-ta'ala, with other than it. And this is Kufr which removes one from the Milla because

this person put himself at the level of the Creator because he shara'a (legislated) for the slaves of Allaah that which Allaah ta'ala did not give permission for and that is Shirk in His, ta'ala's saying: "Or have they partners with Allâh (false gods), who have instituted for them a religion, which Allâh has not allowed?" (Ash-Shu'ara, 21) – "Fiqh Al-' Eebaadaat", #60

Imaam Muhammad Naasiruddin Al-Albaanee:

Who said, in one of his earlier cassette recorded lessons, wherein he is describing an argument he had with someone about the Takfeer of Mustafah Ataturk, the secularist who converted the constitution of Turkey from the Hanafee code Sharee'ah, to the man-made laws. So Shaykh Al-Albaanee said:

"I made clear to him (i. e. his opponent) that the Muslims did not make Takfeer to Ataturk who was Muslim. No. (They did so) when he freed himself from Islaam when he implicated upon the Muslims an institution other than the institution of Islaam. And from that was the example of his equalizing between the inheritance of the male and the female. But Allaah says according to us, 'And for the male is the share of two females. ' And then he obligated upon the Turkish masses, the Qobah (i. e. a Turkish-style hat)."

– "Fataawa Ash-Shaykh al-Albaanee wa-Maqara'netihah bi'Fatawaa Al-' Ulaama", Pg. 263 from his cassette #171.]

Shaikh Mahmood Shaakir said:

So their question wasn't the 'Eebadeeyah's question to Abee Majliz about the Tafseer of this Ayaah – about that which the Mub'tadah of our time agree with concerning the judgement in money and blood with a law that opposes the Sharee'ah of the people of Islaam and not concerning implicating a law upon the people of Islaam and forcing them to take the judgement to other than the rule of Allaah in His Book and upon the tongue of His Prophet. So this action is turning away from the Hukm of Allaah and from His Deen and putting the laws of the Kuffar above the law of Allaah, subhaanahu wa-ta'ala and this is Kufr. No one from the people of the Qiblah with their difference, doubts the Kufr of the one who says or calls to this." – From his commentary of At-Tabaree (" Tafseer At-Tabaree" Vol. 10/ 348)

Alaamah al-Imaam Muhammad Al-Ameen Ash-Shanqeetee said:

"And with these Heavenly texts that we have mentioned, it becomes quite clear that the ones who follow the fabricated laws, which the Shaytaan has legislated upon the tongues of his 'Auliya and which oppose that which Allaah, jala-wa'ala has legislated upon the tongues of His Messengers, peace be upon them, that no one doubts their Kufr and their Shirk except him who Allaah has removed his sight and has blinded them to the light of the revelation as they are!"

– "Adhwaa Al-Bayaan", Vol. 4/ 82-85

Shaikh 'Umar al-Ashqar said:

And from this explanation it becomes clear to us that there are two types of people who have fallen into Kufr about which there is no doubt. The first, the ones who legislate that which Allaah did not reveal, and those are the ones who fabricate the laws that oppose the legislation of Allaah they implicate it upon the people and the Ijmaa' is upon their Kufr without doubt." – "Al-Sharee'ah Al-Eelaheeyah", Pg. 179

'al-Imaam al-Alaamah Muhammad Ibn Ibraaheem Aal-Ash-Shaykh said:

"... The fifth, and it is the greatest and the most encompassing and the clearest opposition of the Sharee'ah and stubbornness in the face of its laws and insulting to

Allaah and His Messenger and opposing the courts of the Sharee'ah on their roots and branches and their types and their appearances and judgements and implementations the references and their applications. So just like the courts of the Sharee'ah there are references, all of them returning back to the Book of Allaah and the Sunnah of His Messenger like that, these courts have references, which are laws that are assembled from many legislations and laws like the laws of France and America and England and other laws and from the Metha'haab of some of the innovators who claim to be under the Sharee'ah.

And these courts are now fully operational in the settlements of Islaam, people entering them one after another, their rulers judge upon them with what opposes the Sunnah and the Book with the rules of that law and they impose that on them and approve it for them. So what Kufr is there beyond this Kufr and what nullification of the Shahaadah of Muhammadar Rasool-Allaah is there beyond this nullification?!

– "Tah'keem Al-Qawaneen"

Shaikh 'Abdur-Razzaq al-'Afeefee said:

"Thirdly: The one who is attributed to Islaam and knows its laws and then fabricates for the people, laws and makes them an institution for them to conduct themselves by and to take their judgements to and he knows that it opposes the laws of Islaam. Then he is a Kaafir out of the Milla of Islaam. And like that is the Hukm concerning the one who orders a committee or committees to be formed for that and the one orders the people to take their judgements to these institutions or laws or makes them take the judgements to them, while he knows that they oppose the Sharee'ah of Islaam. And like that is the one who judges with it and implicates it upon the matters and the one who obeys them in these judgements out of his own choice, while he knows that it opposes Islaam. So all of these are partners in their turning away from the Hukm of Allaah."

– "Shubu'haat Howl As-Sunnah Wa-Risalaat Al-Hukm bi'Ghayr ma'Anzaal-Allaah", Pg. 64

Imaam Ahmad Shaakir said:

"The matter in these fabricated laws is clear with the clearness of the sun. It is clear Kufr and there is nothing hidden about it and there is no excuse for anyone who attributes themselves to Islaam, whoever they may be, to act according to it or to submit to it or to approve of it. So each person should beware and every person is responsible for himself. So the 'Ulaama should make the truth clear and tell what they have been ordered to tell without concealing anything."

– "Umdaat At-Tafseer Mukhtaasir Tafseer Ibn Katheer of Ahmad Shaakir", Vol. 4/ 173-174

al-Haafidh al-Imaam Ibn Jareer At-Tabaree said:

"He ta'ala says, whoever conceals the Hukm of Allaah, which He revealed in His Book and made it a law between the slaves – so he hides it and rules with other than it like the Hukm of the Jews concerning the married fornicators with whipping of the guilty and blackening their faces and concealing the Hukm of stoning and like their judging upon some of their murdered with full blood-money and some with half of their blood-money. And concerning the noble people, they would have Qisaas but the commoner would only get the blood money. But Allaah made all of them equal in the Tauraat: ...such are the Kâfirûn. They are the ones who concealed the truth, which was upon them to uncover and make clear. And they hid it from the people and they showed something different to the people and they judged according to that

(changed Hukm) because of a bribe they took from them." (* So the point of At-Tabaree here is that he considers this Ayaah general for anyone who does what the Jews did and hold this Ayaah meaning of Kufr Akbaar upon anyone who does what they did.)

– "Tafseer Al-Tabaree" Vol. 4/ 592

Shaikh Muhammad al-Ghunaymaan was asked:

"The one who leaves the Hukm by what Allaah revealed; if he makes the general judgements with the fabricated laws, does he disbelieve? And is there a difference between that and the one who judges with the Sharee'ah but then he opposes the Sharee'ah in some of the matters due to desire or bribery or other than that?"

So he answered, "Yes, it is Waajib to differentiate between them. There is a difference between the one who throws away the Hukm of Allaah, jala-wa'ala and replaces it with the judgements with the laws and the judgement of mankind. This is Kufr, which takes one outside the Milla of Islaam. But the one who is Multazim (i. e. religiously committed) upon the Deen of Islaam except that he is disobedient and a Thaalim by following his desires in some of the Ah'kaam and goes after a benefit from the Dunyah, while accepting that he is Thaalim with this, then this is not Kufr, which takes you out of the Milla. And whoever sees the Hukm with the laws to be equal to the Hukm of the Shara' and makes it Halaal, then he also disbelieves with the Kufr that takes one outside the Milla, even if it is in one instance."

– "Mujaalit Al-Mishkaat", Vol. 4/ 247

Shaikh Ibn Qaasim said:

Like the ones who rule with the laws of Jahiliyyah and the international laws, rather, even one who rules by other than what Allaah revealed, whether he rules with the laws or with something which has been invented that is not from the Shara' or affirmed in the Hukm, then he is a Taghuut from the greatest Tawagheet."

– From his commentary on "Usool ath-Thalaathah", Pg. 96

Shaikh Hammad Ibn 'Ateeq an-Najdee said:

"And the Fourteenth Matter is Taking the Hukm to Other than the Book of Allaah and His Messenger. " And then he mentions the Fatwaa of Ibn Katheer under the Ayaah: "Is it the Hukm of Jahileeyah which they seek?", which we have narrated earlier. Then he said, "And like this is what the general people of the Bedouins and those like them fell into with regards to taking the Hukm to the customs of their forefathers and that which their ancestors established from the accused customs, which they label 'The Sharee'ah of Reefawah' they put it before the Book of Allaah and the Sunnah of His Messenger. So whoever does that; then he is a Kaafir and it is Waajib to fight him until he returns to the Hukm of Allaah and His Messenger."

– "Majmoo'at At-Tawheed ", Pg. 412

Shaikh 'Abdullaah Ibn Humayd said:

And whoever makes a general legislation (Tashree' Al-' Aam) and implicates it upon the people which opposes the Hukm of Allaah, then this one leaves the Milla as a Kaafir."

– "A'hameeyaat Al-Jihaad" by 'Alee bin Nafee' Al-' Ilyaanee Pg. 196

Shaikh Muhammad Hamad al-Faqeeh said:

And like or (even) worse than this are the ones who take the words of the Kuffaar as laws, which they judge with in matters concerning blood and wealth and they put

that before that which they know and that is has been made clear to them from the Book of Allaah and the Sunnah of His Messenger. So he, without a doubt, is a Mortad if he continues upon that and does not return to the Hukm of what Allaah revealed and he will not be benefited by any name which he labels himself with and neither by any outward action that he does from Salaat or Siyaam or anything else!"

– From the Hamish (i. e. margins) of "Fat'h Al-Majeed", Pg. 40

Abdul-Lateef Ibn 'Abdur-Rahmaan

When asked concerning what the Bedouins judge with according to the customs of their fathers and grandfathers. "Do we label them with Kufr after it is made clear to them (that this is not permissible and when they continue)?"

So he answered, "Whoever takes the judgement to other than the Book of Allaah and the Sunnah of His Messenger after it is made clear to him (that this is not permissible), then he is a Kaafir. He, ta'ala said: 'And whosoever does not judge by

what Allâh has revealed, such are the Kâfirûn. ' (And He ta'ala also said 🤔 'Is it

other than the Deen of Allaah that they seek? '(And He ta'ala also said 🤔 'Have you seen those (hypocrites) who claim that they believe in that which has been sent down to you, and that which was sent down before you, and they wish to go for judgement (in their disputes) to the Tâghût (false judges, etc.) while they have been ordered to reject them. ' 'And the Ayaat with this meaning are many."

– "Dur'ur As-Saneeyah fi'Al-Ajweebah An-Najdeeyah", Vol. 8/ 231 Published by "Dar Al-Iftaa' bil'Saudeeyah" 1385 H

as for shirk

'al-Imaam Abdur-Rahmaan Ibn Hasan said:

"So it is made clear with this, that the Ayaah (9:31) proves that whoever obeys other than Allaah and His Messenger and turns away from taking from the Book and the Sunnah, concerning making Halaal what Allaah made Haraam or making Haraam what Allaah made Halaal or obeys him in the disobedience of Allaah and follows him in what Allaah did not give permission for, then he has taken him as a lord and something worshipped and made him a partner with Allaah and that contradicts the Tawheed which is the Deen of Allaah that the words of Ikhlaas: La Illaaha il-Allaah, have indicated. (This is) because the Ilaah is the thing, which is worshipped, and Allaah, ta'ala labeled their obedience as worship towards them and called them lords.

Like He, ta'ala said: 'And He does not order you to take the angels and the Prophets as lords... ' In other words, '... as partners with Allaah in His worship... ' – 'Does He order you to do Kufr after you were Muslims? ' And this is the Shirk because anything which is worshipped is a Lord and all things, which are obeyed or followed concerning other than what Allaah or His Messenger have legislated, then he has been taken by the obedient one or the follower as a Lord and a thing to be worshipped.

Like He, ta'ala said in Surah An'am: 'And if you obeyed them, then you are Mushrikeen. ' And this is the meaning of this Ayaah and like this Ayaah in meaning is His, ta'ala's saying: 'And do they have partners who have legislated in the Deen what Allaah did not give permission for? ' And Allaah knows best."

– "Fat'h Al-Majeed", Pg. 110-111 Published by "Dar Al-Fikr"

Shaikh Saalih Ibraaheem al-Layhee:

Who said, concerning the meaning of the "Daleel",

"So the ruling with the fabricated laws, which oppose the Islaamic Sharee'ah is atheistic and Kufr and Fasad and Thulm among the slaves because the security is not ensured and the Shara'ee rights are not preserved except by acting upon the Islaamic Sharee'ah in its entirety in the 'Aqeedah and worship and ruling and etiquettes and the conduct and institutions, because the 'Ruling by Other Than What Allaah Revealed' is ruling with a created action upon a creation like it. And it is ruling with the laws of the Taghoot and there is no difference between the individual conditions and the general and specific; and whoever differentiates between them in the Hukm, then he is an atheist/ Zandeeq (i. e. Hypocrite in denial)/ Kaafir in Allaah Al-' Atheem!"

– "As-Salsabeel ", Vol. 2/ 384, which is his commentary upon "Zaad Al-Mutaqnaah ".

Haafidh al-Imaam Ibn Abil 'Izz al-Hanafee said:

"So here is a matter that is obligatory to comprehend, and it is that the rule by other than what Allaah revealed can be disbelief that expels one from the Religion and it can be a sin: major or minor. It can be disbelief that is either figurative or minor disbelief and that is according to the condition of the ruler. So if he believes that Ruling by what Allaah revealed is not obligatory or that he has an option in it or if he undervalues it along with certainty that it is the rule of Allaah, then this is major disbelief.

Imaam al-Qurtubee said in his tafseer:

"Ibn 'Abbaas and Mujaahid said: 'Whoever does not judge by what Allaah revealed in rejection of the Qur`aan, and in denial of the statement of the Messenger (sallallaahu 'alayhi wa sallam), then he is a disbeliever". This statement is taken from al-Jaami' li Ahkaamul Qur`aan (6/188)

Ibn al-Arabi al-Malikee said

"If he rules with (the rules he brought from himself) holding that they are from Allah, then that is tabdeel of the rule of Allah and necessitates kufr(Ahkaam ul-Quraan 2/642)

al-Imaam Abdur-Rahman Bin Naasr as-S'adi said

"So ruling by other than what Allaah revealed is from the actions of the people of disbelief and it can be disbelief that expels one from the Religion if one believes that it is halaal." Tayseeru-Kareemu-Rahman

Shaykhul-Islam Ibnul Jawzee said:

"The decisive speech is that whoever does not rule by what Allaah revealed in denial of it and he knows that Allaah revealed it - as the Jews did - then he is a disbeliever" [Zaadul Maseer (2/366)]

Again with regard to ANOTHER ayaah of ALLah in whihc He says

"And whosoever seeks judgement from other than Allah, then it is they who are the disbelievers [maidah]

Haafidh al-Baghawi said in his tafseer "Features of the Revelation", interpreting these verses,

"**Qatadah and Dahhak** have said: These three verses were revealed about the Jews, excluding anyone who has done wrong [in this matter] from this Ummah. It has been narrated from al-Bara' bin Azib, may Allah be pleased with him, that the verses "If any do fail to judge by what Allah hath revealed, they are Unbelievers," and "They are wrong-doers," and "They are those who rebel," all pertain to unbelievers.

It is also said that these verses refer to people in general.

Democracy is a form of Istihlaal

Democracy is infact istihlaal because it is granting the power of making haram and halaal within the hands of men

Imaam Ibn Uthaymeen said

"Istihlaal is that a person believes that something that Allaah has made unlawful is lawful. As for Istihlaal of action, then we need to observe: If this Istihlaal (is related to something) that expels from the religion then a person becomes a disbeliever and apostate by it. So for example, if a person worked with usury (i.e. took or gave usury) without believing in its lawfulness, yet he persists in working with it, then such a one does not become a disbeliever because he did not declare it to be lawful. However, if he said, "Usury is lawful" and he intends by this the usury that Allaah has declared unlawful, then he becomes a disbeliever, since he is a denier (mukaddhib) of Allaah and His Messenger (sallallaahu alaihi wasallam). So in this circumstance, Istihlaal would be that of action and also that of belief, with his heart. However, the Istihlaal in action, we need to look at the action itself, is it something which in and of itself, expels from the religion or not? And it is known that consuming interest does not make a person a disbeliever, rather it is one of the major sins. However, if a person prostrated to an idol, then he becomes a disbeliever. Why? Because this act itself expels from the religion. This is the principle, however it is necessary for us to observe another condition, and this is that the person who made something lawful (by istihlaal) is not excused due to ignorance, for if he is excused due to ignorance, then he does not become a disbeliever." Liqaa Baab al-Maftoo (no. 1200)

Al-Alamaah al-Fadheelatu-Shaykh Abdul-Muhsin ibn Hammad al-Abbadd al-Muhadith al-Asr Was asked during a lesson of his on Sharh Sunan Abi Dawood the following

"Is Istibdaal (replacing) the Islamic Sharee'ah with the secular laws (qawaneen al-wad'iyyah) kufr in and of itself or does it require Istihlaal (making halaal) of the heart of belief (itikaad) in its permissibility? And is there is a difference between ruling by other than what Allah has revealed in one instance, and between making the secular laws as general legislation (tashree'an aamaan), while one believes that

this is not permitted?"

So the shaykh replied

"It is clear that there is no difference between ruling in a matter, or ten or a hundred, or a thousand, or less, or greater than that. There is no difference as long as a person considers himself to be in error, that he is doing what is evil (munkar), and that he is committing disobedience, and that he is fearful of sin, so this is the minor kufr (kufr doona kufr or Kufr al-Asghar). And as for the Istihlaal, even if it was only in one matter, so he makes it lawful to judge by other than what Allah has revealed, and considers it to be lawful, then this is kufr (kufr al-akbaar, that which expels from the religion)"

Democracy is a form of Tabdeel (replacement of shariah)

Shaykh Muhammad ibn Abdillah ibn Jibreen stated

"It is known that al-kufr al-bawah (clear kufr, evident) is an open and outward matter, such as when the ruler **actually abolishes the teachings of Islam** or we see him, for example, destroying masaajid or he fights the people in the masaajid or **he abolishes the shari'ah courts** or the religious lessons or we see him burning copies of the quraan or that he orders them to be burnt and he promotes and assist the books of misguidance, the books of the nasaara and the likes of them, and he spreads them and makes reading them to be binding or we see him erecting things that are worshiped besides Allah like idols and the likes. This is the clear and evident kufr." From a cassette titled "Sharh Lum'uat il-I'tiqaad #7", Tasjeelaat at-Taqwaa, Riyadh

Haafidh Shaykhul-Islam Ibnul-Qayyim said

"And as for the replaced law (al-hukmul-mubaddal) - and THAT IS RULING BY OTHER THAN WHAT ALLAAH HAS REVEALED - then it is not permissible to implement it nor to act by it, and it is not permissible to follow it, and the one guilty of it (saahibuhu) is BETWEEN (THE STATES) OF KUFR (DISBELIEF), FUSOOQ (REBELLION) AND DHULM (OPPRESSION)."

Kufrul-Istibdaal is Disbelief because of trying to substitute Allah's Laws. This could take the form of: Rejection of Allah's law (Shariah) without denying it (b) Denial of Allah's law and therefore rejecting it, or (c) Substituting Allah's laws with man-made laws.

Allah (swt) says: Or have they partners with Allah who have instituted for them a religion which Allah has not allowed. [Surah Shuraa(42), Ayah 8]

Allah(swt) says: Say not concerning that which your tongues put forth falsely (that) is lawful and this is forbidden so as to invent a lie against Allah. Verily, those who invent a lie against Allah will never prosper. [Surah Nahl (16), Ayah 116]

Democracy i.e. the Rule of Men, are all Tawagheet (false

deities)

well, what is the meaning of taghoot

Shaikh-ul-Islaam Muhammad Ibn 'Abdil-Wahhaab (Rahima-hullah)

"Ma'anaa at-Taaghoot wa Ru'oos Anwaa'ih"

Know, may Allaah have mercy on you, that the first thing Allaah obligated on the Son of Adam is to reject the Taaghoot and believe in Allaah. The proof for this is Allaah's saying: "And We have indeed sent to every nation a messenger (saying to his people): 'Worship Allaah alone and avoid the Taaghoot (false deities).'" [Surah An-Nahl: 36]

As for the description of Rejecting the Taaghoot, then it is that you believe in the futility of worshipping other than Allaah, and that you abandon doing so and hate it, and that you reject and make enmity with those who do it. And as for the meaning of Believing in Allaah, then it is that you believe that Allaah is the only true God who deserves to be worshipped alone, apart from everything else besides Him. And it is that you make all types of worship – every act – sincerely for Allaah alone, while negating and rejecting that from everything else that is worshipped besides Him.

It also entails that you love and show friendship to the people of Ikhlaas (i.e. Islaam), while hating and showing enmity to the people of Shirk. This is the Religion of Ibraaheem, of which those who turn away from it only fool themselves. And this is the good example that Allaah informs us of in His saying: "There has indeed been an excellent example for you in Ibraaheem and those with him, when they said to their people: 'Verily, we are free from you and whatever you worship besides Allaah. We have rejected you and there has commenced between us and you, enmity and hatred forever, until you believe in Allaah alone.'" [Surah Al-Mumtahanah: 4]

The word Taaghoot is general. So everything that is worshipped besides Allaah, while being pleased with this worship – whether it is something worshipped, someone followed, or someone obeyed in the absence of obedience to Allaah and His Messenger, then that is considered Taaghoot. The Tawaagheet (pl. of Taaghoot) are many, but their heads are five:

The First: The Devil who calls the people to worship other than Allaah. The proof for this is Allaah's saying: "Did I not command you O children of Adam, that you should not worship the Devil. Verily, he is a plain enemy to you." [Surah YaaSeen: 60]

The Second: The tyrannical and oppressive ruler who changes Allaah's rulings. The proof for this is Allaah's saying: "Have you not seen those (hypocrites) who claim to believe in that which has been revealed to you, and that which was revealed before you, and they wish to go for judgement (in their disputes) to the Taaghoot, when they have been ordered to reject them? But the Devil wishes to lead them far astray." [Surah An-Nisaa: 60]

The Third: The one who judges by other than what Allaah has revealed, and the proof for this is Allaah's saying: "And whoever does not judge by what Allaah has revealed, then they are the disbelievers." [Surah Al-Maa'idah: 44]

The Fourth: The one who claims to have knowledge of the Unseen, apart from

Allaah. The proof for this is Allaah's saying: "He alone is the All-Knower of the Unseen, and He does not disclose His Unseen matters to anyone." [Surah Al-Jinn: 26-27] And He says: "And with Him lie the keys to the Unseen, no one knows them but He. And He knows whatever there is in the land and in the sea; not a leaf falls except that He knows about it. There is not a grain in the darkness of the earth, nor anything fresh or dry, but that it is written in a Clear Record." [Surah Al-Ana'aam: 59]

The Fifth: The one who is worshipped apart from Allaah, while being pleased with being worshipped. The proof for this is Allaah's saying: "And whoever amongst them says: 'Verily, I am a God besides Him (Allaah)', then this person's recompense will be the Hellfire. That is the way we recompense the wrongdoers." [Surah Al-Anbiyaa: 29]

And know that man will never become a believer in Allaah unless he rejects and disbelieves in the Taaghoot. The proof for this is Allaah's saying: "There is no compulsion in the Religion. Verily, the right path has become distinct from the wrong path. So whoever disbelieves in the Taaghoot and believes in Allaah, then he has taken hold of the firmest handhold, that will never break. And Allaah is the All-Hearer, the All-Knower." [Surah Al-Baqarah: 256]

The "right path" here refers to the Religion of Muhammad (saws), while the "wrong path" refers to the Religion of Abu Jahl. The "firmest handhold" refers to the testimony that there is no deity worthy of worship except Allaah {Laa Ilaaha Illallaah}. This testimony consists of a negation and an affirmation. It negates all types of worship from those worshipped besides Allaah, while affirming all types of worship done for Allaah alone, free from any partner.

Conclusion Regarding Democracy

These are merely some of the debriefings I mentioned from the scholars of Ahlu-sunnah throughout the subsequent generations with regard to ANYTHING that is described as a system or method in judgment in contradiction to Allah and His Messenger. It is quite clear that virtually all of them viewed such a person to be a kaafir and a mushrik, in associating this divine act, to men, which is what democracy, the system of shirk, furnishes for the morally corrupt, the godless, and the sacrilegious.

Moreover it is inconceivable throughout such abounding evidences, that someone could arrive at a conclusion that all of them (Allah on down to the least of them) have got is wrong and I, and my boys who are with me on this, know better. Nor is it sanely conceivable that someone could adduce that democracy or any other system for that matter, somehow does not fit within the proofs mentioned. And Allah knows best

Preliminary remarks

Understanding the Difference between Shar'i law, and Regulatory law

In clarifying the matter, It is necessary to carefully distinguish between two extremes

1. a group who view that when the deemed fundamentalists exaggerate in establishing Allah's law on earth, that in fact they view such fundamentalists to be speaking of all laws, including laws not mentioned (this group consists of the modernist aqilaani movement, secularists, and the generality of the non Muslim west.
2. The other view are those who have no detailed understanding, even a rudimentary level of knowledge regarding shariah and its maqaasid (objectives), and on that basis declare anything outside of the revelation of the two Islamic sources as polytheism and have no understanding between shar'i and idaaree based law

Law (nidham) is of two types:

1. Idaaree (organizational, regulatory)
2. Shar'iyy (legislative pertaining to the shariah)

The actual word "taqneen" is described by the grammarians as an imported word either from the Greeks or the Persians and Allah knows best

al-Jawharee said concerning the word

"And al-Qawaneen are principles, foundations, and singular is qanoon and it is not arabic (in origin)

[Mukhtaar as-Sihaah

Fayroozabadee said concerning it

"And al-Qanoon is the standard (scale of measure) for everything, and its plural is "qawaneen"

Ibn Mandhoor (author of Lisanul-Arab) said about it

"And qanoon of everything is its way (tariq), its scale of measure..... and I see it as an imported word" [Lisanul-Arab]

The issue of taqneen according to Islamic legislation could have three objectives, and depending on which of the three it is could be kufr that expels clearly from the religion, or it could be kufr that is the kufr of action or it could be an actual objective of shariah (maqaasid ash-Shar'i).

An example of that which is an objective of shariah extends from the malikee usool of al-Masaalih al-Mursalah which means the affairs of public interest or what is understood in the west as the public sector.

Under this form of taqneen then such a one is laying down a charter of organized

rules regarding worldly affairs that pertain to living which do not contradict the legislation of Allah Azawajal and or which have not been stated textually by the legislation of Islam

clear examples of this form of taqneen would be

1. public census and statistics
2. schooling administration
3. traffic laws
4. border laws
5. regulating rules for universities, forums, and other such institutions
6. trade laws

These are some examples among others that enter into this first form of taqneen by which only one who is driven by wahm (delusion) could only say such a form of taqneen would be ruling by other than what Allah had revealed.

under the clarification of the two forms of law, **Alamaah al-Imaamash-Shanqitee** explains

"As for the Idaaree law by which perfection and exactness in the affairs (of the world) is intended, and to regulate and bring together the affairs in a manner that does not oppose Shar' (legislation of Allah), then there is nothing to prevent this, and there is no one who opposed it from the companions or those after them. And Umar radhiyallahu alaihi wa salam acted on something which were not in the time of the prophet salallahu alaihi wa salam such as his writing the names of the soldiers in a record for the purpose of exactness, so he he would know who was missing and who was present. yet the prophet salallahu alaihi wa salam did not do that. And also like his, I mean, Umar's radhiyallahu anhu's purchasing of the house of Safwan Ibn Umayyah and making it into a prison in Makah al-Mukarramah, while the prophet salallahu alaihi wa salam did not set up a prison and nor did Abu Bakr.. So there is no harm in this type of law, and it is not outside of the confines of the principles of shariah of maintaining the general benefits (in the society).. And as for the legislative code (Nidhaamul-Shariy) which is in opposition to the legislation of the Creator of heavens and the earth, then instituting it (tahkeemihi) is disbelief in the creator of the heavens and the earth. Such as the claim that favoring the man over the women in the issue of inheritance is not from justice, or that it is necessary for them to be considered equal in receiving inheritance, or like the claim that polygamy is (a form of) oppression, or that divorce is oppressive for the woman, or [the claim] that stoning (for adultery) and chopping (the hand for theft) are from the strange (backward) actions and that it is not permissible to apply them to a human being, and other such claims" [Adwaanul-Bayyan 4/90]

But the issue of establishing democracy in our deen and the drive of the secular progressive onslaught of our enemies upon us has nothing to do with idaaree based law, rather, the fundamental purpose for their attempt through ideological means as well as physical forceful injection of our society to establish democracy is to circumvent the shariah, to declare the halaal as haraam and the haraam as halaal, to remove the veil, to set up the foundation of intermingling, to remove the mandates upon men and women and establish the faculties of freedoms which the sharia does not condone. This is the reality of our era. This reality quite clearly speaks for itself.

The kuffar don't care about our "democratically driven" methodology of how we implement laws such as

1. public census and statistics
2. Schooling administration
3. Traffic laws
4. Border laws
5. Regulating rules for universities, forums, and other such institutions
6. trade laws

rather, what they wish to see is

1. To literally see our women as exposed as theirs
2. For men to become as effeminate as they are (by not adhering to obligations and prohibitions.)
3. to set up free speech as a requisite for the right to hear and hold disbelieving values and ideas all in the name of free speech and dare call it "freedom of expression"

It is for this reason that Ahmad Shakir explains in the following

"You will see part of the qawaaneen (statutes, laws) permitting an unlawful action about whose unlawfulness there is absolutely no doubt, such as zinaa, selling intoxicants and what is similar to that. And the condition for its being permitted (by the qawaaneen) is (based upon) an authorization that has come from a specific (agency in the body) of the qawaaneen. Hence, this employee who is ordered by way of the qawaaneen to be given an authorization for his action, when the desired conditions are fulfilled for the one who seeks this authorization (i.e. permission, license), then it is not permissible (la yajooz) for him to obey that which he has been commanded with. And the granting of this authority to him is unlawful, absolutely, even if the qanoon orders him with it, for verily he has been commanded with disobedience, hence there is no hearing and obeying. As for when he sees that the granting of this license (permission, authority) is lawful then he has disbelieved and has left Islam, since he has made lawful what is absolutely unlawful (made istihlaal), whose unlawfulness is known by necessity in the religion".

because the kuffar are not concerned with democracy in the "idaatree law" rather their only concern is for them to see us put the hukm of Allah on trial and that the shar'i law to be up for discussion

و على صحبه أجمعين نفعنا الله بعلمكم، وأثابكم، وصلى الله على سيدنا محمد